

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

ADRIAN HOYLE,

Plaintiff,

vs.

CAUSE NO.: 3:21-cv-171NBB-RP
JURY DEMANDED

CITY OF HERNANDO, SCOTT WORSHAM,
in his official capacity as Chief of Police of the
Hernando Police Department, OFFICER
LYNN BROWN, Individually and in his
official capacity as a Hernando Police Officer,
and JOHN DOES 1-25,

Defendants.

AFFIDAVIT OF ADRIAN HOYLE

PERSONALLY APPEARED BEFORE ME the undersigned authority at law the within
named ADRIAN HOYLE, who after first being duly sworn did state on oath the following to-wit:

1. My name is Adrian Hoyle. I am the Plaintiff in this action.
2. On September 3, 2020, I was driving on Highway 51 in Hernando traveling north towards Memphis. I did not run any red lights on Highway 51 or anywhere else to my knowledge.
3. After I passed through the City of Hernando, I noticed a police car traveling at a very high speed with his blue lights on. Because I was not supposed to be driving the vehicle that I was in, I attempted to run from the police.
4. In the process of running from the police, I then lost control of my vehicle in a grassy area near Interstate 69 and Getwell Road in DeSoto County, Mississippi.

5. I was then struck by another police car which put me back into the grassy area. I had tried to get out of the grassy area to continue to run.

6. However, when my vehicle was knocked back down into the grass, my vehicle came to a stop.

7. To the best of my recollection, I immediately put the vehicle in park, released my seat belt and opened the driver's door with my left hand and then held it with my right hand to hold it open because I was on a tilt. I had my left hand out for anyone to see. Once the door was opened, I kept both hands at or over my head and stated to the police officers, "I surrender." "I'm sorry."

8. The police officer that was parked directly behind me, who I later learned is named Lynn Brown, looked squarely at me with my hands up and then released a police dog from his vehicle.

9. As the police dog charged me, I remember letting out a scream and also repeated, "I surrender. I surrender." I never put my hands down while surrendering.

10. Once the police dog bit my right leg, a hot shooting pain ran up my leg and through my body.

11. It seemed like the dog was trying to pull my leg off of my body.

12. Even while the dog was biting, I kept my hands out where the first police officer, who was now approaching me, could see me and my hands.

13. While looking him in the eye, I again screamed "I give up. I surrender." The dog continued to chew and bite on my right leg and foot. The first officer then pulled me away from the vehicle by my left arm. When he pulled me, the police dog pulled me in the opposite direction.

14. The pain was getting worse in my leg. It seemed like the dog was continuing to bite and chew on my leg.

15. A second officer then came to me and without any warning hit me in the face with his fist. I think he hit me four (4) or five (5) times in the face and head all the while the dog was still biting my right leg. At that point, the pain was so severe in my head and leg that I was not in control of myself.

16. The first officer was putting my hands behind my back, and I was trying to cooperate as much as I possibly could, but the pain in my leg was so severe and was getting worse that I am not sure if I was able to control the rest of my body. After the officer got handcuffs on me behind my back, the first officer then went over and pulled the dog off my leg which actually hurt as much as when the dog first bit me but in a different way.

17. While that officer was taking the dog off of me, the dog did not want to let go of my leg.

18. The next thing I knew the second officer, who had punched me in the face, was then standing and jumping on my chest, and I thought that he was going to kick me or stomp me to death.

19. I yelled out, "I don't want to die today, please stop."

20. The second officer then kicked and stomped my head with his boot while his other boot was in my chest. I have described it in the past like someone who was wiping their feet on a floor mat except that the second officer was very heavy and on my chest and head.

21. An African-American officer was present during my arrest. Before the dog was released from my leg and before the man jumped on my chest, I heard the African-American officer say to the other officers, "When are you going to get that dog off of him?"

22. Later, but before I left the scene, I asked the officers if they could take me to get medical help.

23. They put me in the back of a police car, and the African-American officer transported me to the hospital.

24. While riding in the car over to the hospital, the African-American officer said to me, "Once your car stopped, you were not resisting. I saw your hands up. I don't know why they did all of that."

25. When I was asked why I ran from the police, I told the police that I had earlier stolen that vehicle. The officer I told that to seemed surprised.

26. I received pain pills and stitches at the hospital. The police officer then took me to jail, and I was booked.

27. I have had injuries before I was attacked by the police dog. Nothing has ever hurt so badly for so long.

28. During all that time, my leg was in great pain.

29. To this day, I cannot stand and put much weight on my right leg, and I have scars from the bites of the dog.

Further Affiant sayeth not.

Adrian D Hoyle
ADRIAN HOYLE

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned, a Notary Public, the within named Adrian Hoyle, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal this the 27th day of September, 2021.

Mistie Wynn
NOTARY PUBLIC

MY COMMISSION EXPIRES:

